1 IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS TX EASTERN MARSHALL 2 MARSHALL DIVISION VISTO CORPORATION 3 Civil Docket No. 2:03-CV-332 4 VS. Marshall, Texas 5 April 15, 2004 INFOWAVE SOFTWARE, INC. 11:00 A.M. 6 7 TRANSCRIPT OF MOTION HEARING BEFORE THE HONORABLE T. JOHN WARD 8 UNITED STATES DISTRICT JUDGE 9 .0 APPEARANCES: 1 FOR THE PLAINTIFFS: MR. SAM BAXTER McKool-Smith 2 505 North Travis, Suite 100 Marshall, TX 75670 13 MR. RONALD S. KATZ Manatt, Phelps & Phillips 1001 Page Mill Road 5 Building 2 Palo Alto, CA 94304 16 FOR THE DEFENDANTS: MR. OTIS CARROLL Ireland-Carroll Firm Ĺ8 P.O. Box 7879 Tyler, TX 75711 MR. BRETT C. GOVETT MR. ROBERT M. CHIAVIELLO, JR. Fulbright & Jaworski 2200 Ross Avenue, Suite 2800 Dallas, TX 75201 COURT REPORTER: MS. SUSAN SIMMONS, CSR Official Court Reporter 100 East Houston, Suite 125 24. Marshall, TX 75670 903/935-3868 (Proceedings recorded by mechanical stenography, transcript 25 produced on CAT system.)

